

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE ANTITRUST
LITIGATION

CASE NO. 3:10-md-2143 RS

ORDER RE DEPOSITION SCHEDULING

Plaintiffs have filed an “administrative motion” seeking a ruling as to the parties’ rights and obligations with respect to scheduling depositions under the July 17, 2012 Case Management Order. This order is being issued prior to any response from defendants, with the goal of resolving the matter expeditiously and efficiently. As such, nothing in this order is based on an assumption that plaintiffs have characterized defendants’ position in a manner that defendants would necessarily agree is accurate.

In light of the large number of parties participating in this litigation, the provisions regarding deposition scheduling in the July 17, 2012 Case Management Order were intended to provide a framework for efficient scheduling of depositions that differs from procedures typically used in ordinary cases. Deposition notices may be served *without* prior efforts to “meet and confer” or “clear” deposition dates, though the parties are expected to cooperate, communicate, and to make

1 reasonable accommodations in reaching final agreement as to when depositions will go forward.
2 The Case Management Order sets certain parameters to ensure that process occurs in a timely
3 fashion.

4 Any disputes as to the scheduling of depositions, including a parties' compliance with the
5 requirements of the Case Management Order, should be presented to the assigned magistrate judge,
6 but only after every effort has been made to resolve those disputes through meet and confer
7 negotiations conducted in good faith. Any controversy remaining after the issuance of this order
8 should be addressed in that manner.

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10 IT IS SO ORDERED.

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12 Dated: 8/31/12


13 RICHARD SEEBORG
14 UNITED STATES DISTRICT JUDGE
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